

## REMARKS

### Restriction Requirement

In response to the restriction requirement interposed by the examiner, applicants elect, with traverse, Group I, claims 1-14.

Applicants hereby traverse the restriction requirement for the following reasons.

First, examination of all pending claims would pose no undue burden on the examiner because he has already examined all of the currently pending claims, as evidenced by the previously issued first rejection (subsequently withdrawn).

Moreover, with respect to the requirement for restriction between groups I and II, applicants submit that the reasoning set forth in the restriction requirement (that group I was limited to locomotive wheels whereas group II was not) is *prima facie* erroneous because both groups of claims recite train wheels. Accordingly, withdrawal of the restriction requirement is respectfully requested.

### Rejection Under 35 U.S.C. § 112

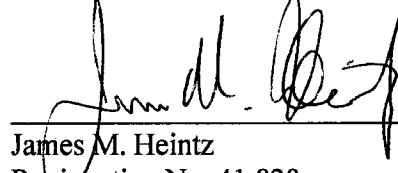
Claim 22 (mistakenly identified as Claim 15 in the Office Action) stands rejected under 35 U.S.C. § 112, second paragraph as indefinite. The rejection appears to be based on use of the word “corrected.” This limitation has been removed and withdrawal of the rejection on this ground is respectfully requested. There also is a rejection based on a failure to identify a particular parameter. Applicants respectfully submit that no particular parameter of the signal is essential to the claimed invention as asserted in the Office Action. The claim has been amended to recite that the parameter is “indicative of a speed of the train” for the sake of clarity. Withdrawal of the rejection is respectfully requested.

In light of the above, Applicants submit that this application is now in condition for allowance and therefore request favorable consideration. If any issues remain which the Examiner

feels may be best resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact Applicants counsel, James M. Heintz at 202.861.4167.

Respectfully submitted,

DLA PIPER US LLP

  
James M. Heintz  
Registration No. 41,828

1200 Nineteenth Street, N.W.  
Washington, D.C. 20036-2412  
Telephone No. (202) 861-3900  
Facsimile No. (202) 223-2085